

EXHIBIT 9

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THE ESTATE OF NAJEE ALI :
BAKER, by and through his :
Ancillary Administrator, :
Jemel Ali Dixon, : No. 1:19-cv-00477
: CCE-LPA
Plaintiff, :
vs. :
WAKE FOREST UNIVERSITY, et :
al., :
Defendants. :

- - -

DEPOSITION OF OFFICER DANA FELTS
(Taken by the Plaintiff)
Raleigh, North Carolina
January 19, 2021

Reported by: Jackie Johnson Milam
Court Reporter
Notary Public

1 A. Yes.

2 Q. When did you first become aware that a Wake
3 Forest police officer was working the Barn event on
4 January 19, 2018?

5 A. That night.

6 Q. Were you made aware of the officer who was
7 working the Barn event?

8 A. Yes.

9 Q. Who did you learn was working the event?

10 A. Officer Bottoms.

11 Q. That's Officer Michael Bottoms?

12 A. Yes.

13 Q. Had you worked with Officer Bottoms on prior
14 occasions?

15 A. Our shifts are rotating. So I've never really
16 worked a shift with him.

17 Q. Prior to January 19, 2018, had you worked an
18 evening shift at Wake Forest?

19 A. Yes.

20 Q. So is it right that there were only four Wake
21 Forest Police Department officers on campus when your
22 shift started on January 19, 2018?

23 A. Yes.

24 Q. Just so I'm clear. That's Officer Paquette,
25 Officer Gonzalez, Officer Bottoms, and yourself?

1 Q. And was the tent positioned kind of in the center
2 of the circle drive?

3 A. It was sort of -- it was closer to the Barn. It
4 wasn't in the middle of the drive.

5 Q. The tent was closer to the Barn?

6 A. Yes.

7 Q. So when you parked your vehicle, were you between
8 the tent and the Barn or where was the car positioned?

9 A. It was between the tent and the Barn.

10 Q. And what did you do after you parked your car?

11 A. I entered the Barn where the intoxicated student
12 was.

13 Q. Before you entered the Barn, did you speak with
14 anyone outside the Barn?

15 A. I can't recall talking with anyone.

16 Q. Okay. When you entered the Barn, what did you
17 do?

18 A. I went with Officer Paquette to the restroom
19 where the intoxicated student was about that call. She
20 was in the restroom.

21 Q. When you arrived, was Officer Paquette already at
22 the Barn?

23 A. Yes.

24 Q. Was he inside the Barn when you entered the Barn?

25 A. I can't remember.

1 Q. And that's consistent with what you testified
2 about earlier, right?

3 A. Yes.

4 Q. Okay. He also directed you to take the car; is
5 that right?

6 A. Yes.

7 Q. And did you, in fact, follow the guy in the tank
8 top with your patrol vehicle?

9 A. I followed the group of people that we were
10 following on foot.

11 Q. And how long did you follow them for?

12 A. Not very long.

13 Q. And was there a reason you stopped following
14 them?

15 A. When Officer Bottoms said that he thought he
16 heard a shot fired.

17 Q. And what did you do when you heard Officer
18 Bottoms say he thought he heard a shot fired?

19 A. I turned on my patrol blue lights and continued
20 on down the roadway.

21 Q. And when you say Officer Bottoms said he thought
22 he heard a shot fired, was that over the radio?

23 A. Yes.

24 Q. And did you personally hear a gunshot?

25 A. I did not.

CERTIFICATE OF REPORTER

STATE OF NORTH CAROLINA)

COUNTY OF GASTON)

I, JACKIE JOHNSON, the official before whom the foregoing deposition was taken, according to the emergency video notarization requirements contained in G.S. 10B-25, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for nor employed by any of the parties to the action in which this deposition was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Jackie J Johnson

JACKIE JOHNSON

MY COMMISSION EXPIRES: August 30, 2021